

## Policy Manual



# NEW JERSEY DEPARTMENT OF CHILDREN AND FAMILIES

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Subchapter:	4	Locating a Missing Child/Family and Searching	
Issuance:	100	<b>Locating a Missing Child/Family and Searching</b>	

### Purpose:

This issuance establishes a policy and procedure related to the Division's search for a child's parents and kin.

### Policy:

#### A) Generally

- 1) Parents have both the right and the responsibility to be involved in case planning for their children. It is the responsibility of CP&P to foster and encourage that involvement through actively maintaining contact, regular discussion, and mutual development of plans for resolution of the problems or reasons, which brought the family to CP&P attention.
- 2) Children need and have a right to permanent and stable homes. To help ensure permanency and stability, reasonable efforts must be made to involve their families with assessment, planning, and service delivery. State and federal statutes also require this activity.
- 3) Basic information about each child's parents and kin is gathered and the needs of each child are evaluated within 30 days of the child's acceptance into the Division's care. The information gathered includes the whereabouts of each of the child's parents and kin who may be

willing and able to provide care and support by the child to ameliorate those needs.

- 4) Search activities are undertaken concurrent with other case management activities, including intake, and are repeated as necessary throughout CP&P involvement.

#### **B) Search for Parents**

The purpose of the Division's search for a child's parent shall be to identify or locate the parent in order to:

- 1) promote family preservation;
- 2) ensure the child's safety and well-being;
- 3) prevent placement in substitute care;
- 4) ensure a permanent home for a child already in substitute care; and
- 5) secure financial support for the child.

#### **C) Conditions for Initiating a Search for a Parent**

- 1) Efforts to search for a child's parents include not only those search activities undertaken for kin, but also those activities which directly affect their parental rights. When the Division is pursuing guardianship/termination of parental rights, and a search must be conducted for the child's parent(s), the State Police Missing Persons Unit may assist in those search efforts. Use DCF [Form 5-68](#), State Police Search Letter for Guardianship/Termination of Parental Rights.
- 2) Within 30 days of acceptance of a child into the care or custody of the Division, the Division representative shall undertake activities as set forth in this policy.
- 3) Within 30 days of the actions specified below, the Division representative shall initiate a search for a child's parents whenever the identity or whereabouts of his or her parents are unknown, there is no valid affidavit of inquiry, and:
  - i) a petition for guardianship of the child has been filed pursuant to N.J.S.A. 30:4C-15; or
  - ii) the court has issued an order pursuant to N.J.S.A. 30:4C-12 making the child a ward of the court and placing him or her under the Division's care and supervision.

#### **D) Conducting the Search**

- 1) The search is initiated by consulting ALFA-X to determine whether the parent(s) is known to any county welfare agency or CP&P office. Any leads found must be followed.

- 2) Existing agency files are reviewed for the names, addresses, and telephone numbers of the parents and any kin or persons who may know the identity and whereabouts of the parents, and attempts are made to contact them. Available friends and family members, including the child, are interviewed.
- 3) Identification and search activities shall include any or all of the following activities, whichever are needed in order to identify or find the parent(s) and to document that a comprehensive search has been completed:
  - i) Review all Division files for his or her name, address, and telephone number;
  - ii) Review all Division files for the names, addresses, and telephone numbers of any relatives or persons who know him or her and attempt to make telephone or personal contact with those persons;
  - iii) Access the telephone directory or directory assistance for the area in which he or she may reside;
  - iv) Send letters by both regular and certified mail, return receipt requested, to his or her last known address;
  - v) Send an inquiry to the post office district in which he or she was last known to reside;
  - vi) Contact the board of social services in the county in which he or she was last known to reside;
  - vii) Pursue any other leads indicating that he or she is residing or working in New Jersey;
  - viii) Search the Family Automated Case Tracking System (FACTS) and Promis/Gavel databases if he or she is known to have had contact with the court system;
  - ix) Contact municipal and county law enforcement agencies and the Division of State Police if he or she is known to have had contact with the police;
  - x) Contact the State Police for assistance only when guardianship/termination of parental rights is being pursued. Use [Form 5-68](#), State Police Search Letter for Guardianship/Termination of Parental Rights;
  - xi) Contact one of the following inmate locator services or prison/jail if he or she is known to be incarcerated but the prison/jail where his or her time is being served is unknown.
    1. For inmates in the Federal prison system, call the Federal Bureau of Prisons' (BOP) inmate locator number at (202) 307-3198.

2. For inmates in the State prison system under the jurisdiction of the New Jersey Department of Corrections, call the inmate locator service at 609-292-4036.
3. For inmates in a state prison system outside New Jersey, contact the corrections agency in the appropriate state. See [CP&P-III-C-4-200](#) for a telephone listing of each state's corrections agency.
4. For inmates in a county/local jail, contact the appropriate county sheriff's office.
5. Callers using these services should be prepared to identify themselves; state the purpose of the call; and provide the inmate's name, date of birth and Social Security number. The Federal prison system and New Jersey's State prison system will accept a verbal request for information over the phone. A written request may be necessary if an out-of-state prison system or county/local jail does not accept a verbal request.
  - xii) Contact any social service agencies, which are known to have had contact with him or her;
  - xiii) Contact shelters in or adjacent to counties where he or she was last known to reside;
  - xiv) Contact the Division of Motor Vehicles for information regarding his or her current address or place of employment;
  - xv) Pursue any other leads specifying his or her name;
  - xvi) Contact the welfare department in the municipality in which he or she was last known to reside;
  - xvii) Conduct a military search when there is reason to believe that the parent(s) is enlisted in one of the armed services branches or is receiving veteran's benefits; or
  - xviii) Pursue any other leads specifying his or her residence or place of employment in another state, territory or country.
- 4) Letters to a child's parent should clearly inform the parent that CP&P is providing services to the child, and should request that the parent contact the Worker to further discuss that involvement. Any other information contained in the letter must meet statutory requirements of confidentiality. See [CP&P-IX-G-1-100](#).
- 5) Any leads and information should receive immediate follow-up by telephone, mail, or in-person contact, whichever is appropriate to the kind of information and to the case situation.

- 6) The search is complete when all sources contacted have either responded to the inquiry or failed to respond within 45 days. Failure to receive a response to an inquiry after 45 days shall be considered to be a negative response. The results of the search shall be valid for a period of six months after the date of completion. The address of the parent shall be re-checked if it has been determined to be valid in the preceding six (6) months.
- 7) Whenever new information about the identity or whereabouts of a parent is received, the Division representative shall pursue verification of the new information in accordance with the above search activities.
- 8) The needs of the child shall be reassessed no less frequently than once every six months and each of his or her relatives who may be willing and able to provide the care needed by the child shall be contacted or re-contacted if the child's needs have changed.
- 9) The Division representative shall contact or re-contact the child's relatives if the child needs or enters substitute care to determine their willingness and ability to provide a home for the child.
- 10) All attempts and contacts made in order to find or identify a parent are documented on the Contact Sheet, [Form 26-52](#). Cases meeting the criteria to initiate a search as set forth in this policy require preparation of an Affidavit of Inquiry as documentation that the required search activities occurred.

#### **D) Search for Kin - Introduction of Philosophy**

- 1) The assigned Worker always attempts to locate and identify both maternal and paternal relatives and other kin resources, including fictive kin early in CP&P involvement with a family. By locating and involving kin early in the case practice process, CP&P is, in effect, exercising "kin preference." Talking to kin early may provide an opportunity to:
  - i) Obtain additional information about the family;
  - ii) Corroborate statements from the parents;
  - iii) Establish the kin's participation in Family Team Meetings;
  - iv) Encourage kin to participate in developing the child's case plan, visitation plan, and services; and
  - v) Identify kin who might serve as a placement resource, even when out-of-home placement is not imminently necessary.
- 2) **CP&P always considers relatives and family friends** (kinship caregivers) **as the first resource for a child who needs placement.** See [CP&P-IV-B-2-125](#), Placing Children with Kinship Caregivers.
- 3) **Parents' preference** - Determine which relative the parent wants the child placed with.

- 4) **Child's preference** - Determine which relative the child wants to be placed with.
- 5) **Kin are important, potential resources.** Kin can often provide a variety of services to a child and his or her family, such as childcare; homemaking assistance; transportation to health care, school, social service providers, or visitation; temporary placement; or linkage with, or introduction to, community services. When a parent is missing or otherwise absent, relatives can be helpful in providing information about the parent's whereabouts, as well as the names, addresses, or telephone numbers of other relatives or family friends who can provide support or information.
  - a. Responsibility
    - i. Worker
      1. Identify and locate a child's kin through activities described in this policy to:
        - a. Gather information about the identity and whereabouts of a child's parents, guardians, or kin;
        - b. Assess their ability and willingness to provide care and support to the child in order to maintain the child in his or her own home; or
        - c. Evaluate the relative and his or her home for placement.
- 6) Make the best placement determination. If more than one kin is identified, and shows an interest in providing a home for the child, CP&P makes the best placement determination for the child, based on the circumstances of the child, and the potential kin caregiver's ability and willingness to make a commitment to working with CP&P, the child, and the family, including a willingness to provide a permanent home for the child, if reunification with the parent/either parent is not possible.

#### **E) Conditions for a Kin Search**

- 1) Within 30 days of accepting a child into the care and custody of the Division, the assigned Worker shall:
  - i) Evaluate the needs of the child, and gather basic information needed to identify, and ascertain the whereabouts of, his or her kin
  - ii) Initiate a search for each kin who may be willing and able to provide the care and support required by the child; and

- iii) Notify all relatives, parents of siblings and other persons with a kinship relationship with the child - that the child has been, or will be, placed out of home by CP&P.
- 2) Use [Form 5-58](#), Thirty-Day Notification to Kin of Child's Placement Out of Home, to notify each identified kin Prepare individual forms to be sent to each known relative. (If more than one kin reside together, prepare and send one form to the household.) CP&P [Form 5-58](#) explains:
    - i) That the child has been, or is being, removed from the care and custody of his or her parent or parents;
    - ii) The options the kin has under Federal and State law to participate in the care and placement of the child, including any options that may be lost by failing to respond to the notice;
    - iii) The requirements necessary to become a licensed resource family home/parent for a child in New Jersey, and the additional services and supports that are available for children placed in resource family care by CP&P (see [CP&P-IV-B-2-200](#)); and
    - iv) Adoption and kinship legal guardianship in New Jersey, including the availability of subsidies paid by CP&P for the care of such children
  - 3) As soon as it is determined what supports and/or services are needed by the child and/or family, the Worker asks the parent whether there are any kin who may be able to assist the family, and follows up by contacting any who were suggested.
  - 4) If the family is resistant to having the Worker contact kin, the Worker meets with the parent, to discuss the matter in depth, in an effort to better understand their concerns and appease their apprehension. The Worker emphasizes the importance of kin as supports for both the child and the family.
  - 5) The search for kin includes any or all of the search and identification activities specified in this policy. The search is complete when all sources contacted have either responded to the inquiry or failed to respond within 45 days of the date of the inquiry/correspondence.
  - 6) Failure to receive a response to an inquiry ([Form 5-58](#)) after 45 days shall be considered to be a negative response. The results are valid for six months from the date the search was completed.
  - 7) A full record/NJ SPIRIT review is conducted to determine whether any kin who has been identified as a possible support or placement option is known to CP&P. Kin may be ruled out if he or she has a history of Substantiated child abuse/neglect; Established child abuse/neglect, particularly if associated

with more than one such incident; a criminal history; or a history of family violence.

- 8) All available information is assessed. Any leads and information must receive immediate follow-up by telephone, mail, or in-person contact, whichever is appropriate to the kind of information at hand and to the case situation.
- 9) The ability and willingness of kin to provide support or assistance are considered and assessed in relation to the needs of the child and family. Geographical considerations, current relationship with the family or child, individual abilities and skills, and willingness to commit to provide a permanent home for the child, if necessary, are all considered when making a determination as to whether a particular kin can provide support of any kind.
- 10) Information received, contacts with kin or sources of information, and assessments of the ability/willingness of the extended family to provide support are documented on the [Form 26-81](#), Family Summary/Case Plan, and/or in Contact Activity Notes, documented in NJS, printable as a Contact Sheet, [Form 26-52](#).
- 11) Document identifying information regarding kin in NJ SPIRIT.

#### **F) Services Provided by Kin**

- 1) When a determination has been made that a child requires frequent or extensive services from kin (e.g., day care, out-of-home placement, respite care), the Worker must conduct an evaluation of the kin and his or her home. Kin assessments and evaluations are conducted as soon as kin has been identified to provide a particular service and within a time frame appropriate to the need.
- 2) The needs of the child shall be reassessed no less frequently than once every six months in accordance with policy. If the child's needs change, the assigned Worker contacts or re-contacts the child's relatives, who may be willing and able to provide the care needed by the child.

#### **G) Search for Caregiver**

- 1) Whenever the identity or whereabouts of a child's caregiver are or become unknown, efforts to identify or locate the caregiver are undertaken in order to:
  - i. ascertain legal responsibility for the child;
  - ii. identify and locate the child's parents or relatives;
  - iii. ensure a permanent home for the child; or
  - iv. prevent entry into or continued placement in substitute care.
- 2) The search includes any of the activities specified in this policy, as appropriate.



#### **H) Case Situations Requiring a Conference with the DAG**

A case conference with the DAG is required whenever:

- 1) a case is in litigation in order to determine whether a decision not to conduct search activities would have a negative impact on legal proceedings; or
- 2) search activities for the father of a child born of incest or rape could be reasonably expected to cause or contribute to substantial physical or emotional harm to the child. In these situations, the Division may seek the permission of the court in order to waive search activities.

#### **I) Case Goal of Adoption**

Search activities shall not be limited when the child's case goal becomes adoption.

#### **J) Affidavits of Inquiry**

The Division representative shall prepare an affidavit of inquiry within 30 days of completion of the search whenever search activities have failed to locate a parent whose identity or whereabouts are unknown to the Division and:

- 1) a petition for guardianship of a child has been filed pursuant to N.J.S.A. 30:4C-15; or
- 2) a court has issued an order pursuant to N.J.S.A. 30:4C-12 making a child a ward of the court and placing him or her under the care and supervision of the Division.

#### **K) Procedures Related to Search for Parents and Kin**

a. Responsibilities:

i. Worker

1. Evaluate the needs of the child and gather basic information about child's kin and parents within 30 days of case acceptance.
2. Conduct any or all search activities outlined herein according to case circumstances for kin who may be able and willing to provide the care or support needed by the child unless criteria to limit search activities are met.
3. Follow-up any leads or information received.
4. Assess the ability and willingness of kin or parent to provide care and support to the child in his or her own home.

### **Key Terms (Definitions):**

- **"Care"** means cognizance of a child for the purpose of providing necessary welfare services, or maintenance, or both.
- **"Caregiver"** means a person with legal custody or other person who has assumed full time physical custody of a child, but does not include a parent, as defined below, or a foster parent, or adoption home parent.
- **"Parent"** means a birth parent, legal parent, putative father, or legal guardian.
- **"Relative"** means a person other than the child's parent who is related by blood or marriage/civil union partnership, and includes a parent, brother, sister, aunt, uncle, first cousin, niece, nephew, relatives of half blood and those denoted by the prefixes "step", "grand" and "great".
- **"Search"** means the activities undertaken to identify or locate missing parents, kin, and caregivers.

### **Policy History:**

- 10-04-2021
- 4-01-2013